



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Donald L. Schilling

Application No.: 10/072,080

Confirmation No.: 9985

Filed: February 8, 2002

For: SPREAD SPECTRUM BASE STATION

Group: 2665

Examiner: Alpus Hsu

Our File: I-2-0072.3US

Date: February 15, 2005

REPLY PURSUANT TO 37 C.F.R. §1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply and Terminal Disclaimer are being timely filed in response to the Office Action dated December 21, 2004. A Request for Continued Examination (RCE) is filed concurrently herewith.

Please amend the application without prejudice or disclaimer as follows:

03/03/2005 MGORDON 00000008 090435 10072080
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PTO/SB/26 (09-04)

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Docket Number (Optional)
I-2-0072.3US

In re Application of: Donald L. Schilling

Application No.: 10/072,080

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The owner*, InterDigital Technology Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 5,365,544 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

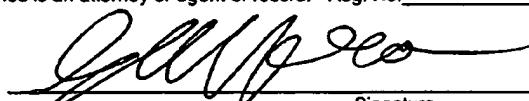
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 28,657



Signature

February 15, 2005

Date

Stanley N. Protigal

Typed or printed name

215-568-6400

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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